IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

CRP.No. 1029 of 2002

AGAINST THE ORDER DATED 05/11/2001 IN IA 1232/2001 IN OS.111/1996 OF SUB COURT,THODUPUZHA

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REVN. PETITIONER: PETITIONER

K.S.SYRIAC, S/O.SAKARIA JOHN,
KALIDUKKIL HOUSE, ALAKODE KARA AND VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.

BY ADV. SRI.MATHEW JOHN (K)

RESPONDENTS: CR. PETITIONER

E.K.LATHEEF, S/O.KONTHALAM,
INCHAKATTU HOUSE, KARIKODE KARA AND VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.

BY ADV. SRI.S.ANANTHASUBRAMANIAN
SRI.S.SHYAM

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION ON 01/10/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N. KRISHNAN, J.

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C.R.P. NO. 1029 OF 2002

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Dated this the 1st day of October, 2007.

O R D E R

This revision is preferred against the order of the Subordinate Judge, Thodupuzha in I.A.1232/01 in O.S.111/96. The defendant has moved an application whereby he wants to rescind the contract. The Court below, after considering the matter found that no stipulation has been made in the decree for the deposit of the balance amount and therefore disallowed the prayer and dismissed the application for permission to rescind the contract. I am informed that two appeals, as A.S.589/01 and 568/01 are pending before this Court against the judgment of the Court below. With liberty to raise this ground also by way of amendment to the memorandum of appeal, I close this C.R.P.

M.N. KRISHNAN, JUDGE.

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M.N. KRISHNAN, J.

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C.R.P. No. 1029 OF 2002

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O R D E R

1st October, 2007.